

REQUEST FOR COUNCIL ACTION

MEETING

DATE:

69
4/7/03**AGENDA SECTION:**

CONSENT AGENDA

ORIGINATING DEPT:

Public Works

ITEM NO.

D-24

ITEM DESCRIPTION: Harvestview Development Agreement Supplement #1**PREPARED BY:**

R. Freese

The City staff and representatives of Joel Bigelow and Sons Enterprises, Inc. have discussed and agreed to the terms of supplemental language to the Development Agreement for the development project known as Harvestview to be constructed north of 55th Street NW and west of 50th Avenue NW. The supplement language is needed to clarify or supplement conditions in the original development agreement. The proposed Supplement # 1 to the Harvestview Development Agreement addresses the Owner's obligation for:

1. Dedicate drainage easements and Outlots for storm water flow generated off the site, and
2. Payment of Storm Water Management District 7 charges, and
3. Exchange of an equal amount of land with the City attributable to the curvilinear nature of 52nd Street NW, and
4. Payment of trunk sewer and watermain improvements constructed by the City in City Project J9572 to serve the property, and
5. Construct a trunk sewer through the property to serve the property and other development.

The City's obligations include:

1. Design and construction of regional storm water facilities to serve the property, and
2. Make available to the Owner 13,500 cubic yards of material from the excavation of the regional storm water pond located on the Welch property adjacent to Harvestview (this obligation was included in the original development agreement with the material to come from the Harvestview pond), and
3. Exchange of an equal amount of land with the City attributable to the curvilinear nature of 52nd Street NW, and
4. Issue revocable permits to Owner for a portable storm water pond aerator and the location of an entrance sign on City property.

The Owner has reviewed and executed the Supplement # 1 to the Harvestview Development Agreement.

COUNCIL ACTION REQUESTED:

Authorize the Mayor and City Clerk to execute the Supplement # 1 to the Harvest view Development Agreement.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

